

Honorable Joel B. Rosenthal
(Visiting Judge from Worcester, Massachusetts)
Eastern District of New York
Central Islip Division

AMENDED JULY 31 , 2007

Courtroom Deputy/Scheduling: Yvette M. Mills (631-712-6277)

All matters will be heard in Courtroom 960.

1. All matters regarding EDNY cases assigned to the Judge are to be handled through the Judge's EDNY staff.
2. **Nothing** is to be sent to Massachusetts unless the Judge directs otherwise. In those instances where the documents are specifically requested by the Judge, the Judge's deputy in EDNY must be notified immediately of the transmissions.
3. **Nothing** is to be sent by facsimile to chambers in Massachusetts **OR** New York, unless specifically directed.
4. Motions, opening briefs and responding briefs in all adversary proceedings and contested matters **shall be no longer than 15 pages in size 12 font**. Briefs that exceed these page limits will be stricken or not read.
5. Unless otherwise ordered by the Court, any papers filed in response to any motion shall be filed with the Court **no later than five (5) business days before the return date of the motion**. Reply papers, if any, shall be filed by the movant at least three (3) business days prior to the return date. Failure to comply with this rule may result in your papers being stricken or not read.
6. All proceedings and hearings before the Court will be heard on the assigned dates in the CI Bankruptcy Court unless otherwise scheduled by the Court. **No hearings will be continued or rescheduled unless an appropriate motion and proposed order** have been filed with the Clerk of the Bankruptcy Court in EDNY at least seven (7) calendar days before the scheduled hearing date. Motions to continue a Pretrial Conference, in a matter that is settled, must be accompanied by a Motion to Compromise Claim or state why such a motion could not be contemporaneously filed. If there are matters which, of necessity, must be heard on a day other than when Judge Rosenthal is sitting in CI, Judge Rosenthal may consider hearing such matter by videoconference or telephone. A request for such hearing must be made in writing and submitted to Judge Rosenthal's EDNY staff. Such requests will not be routinely granted.
7. The Judge's EDNY staff must be notified immediately if any hearing is expected to last longer than ½ hour **or if an evidentiary hearing** is required.

8. Attorneys wishing to participate in hearings by telephone must file a motion requesting a telephonic appearance no later than five (5) calendar days prior to the scheduled hearing date. Parties must appear in person unless otherwise expressly permitted by court order.
9. **Emergency Motions:** Movant shall advise chambers staff prior to filing any emergency motion or proposed order to show cause. The emergency motion, and an affidavit stating why it is necessary to proceed on an emergency basis, must be filed electronically, or the motion and affidavit may be delivered to the clerk's office in CI in .pdf format. A proposed order scheduling hearing or order to show cause shall be emailed to chambers in accordance with the Attorney Guidelines for Submitting Orders to Judge Rosenthal via E-mail. These Guidelines can be found on the EDNY website (www.nyeb.uscourts.gov) in the section on "Electronic Case Filing."
10. **Amendments to Chapter 11 Plan or Disclosure Statement:** In the event that any proposed plan and/or disclosure statement is amended, the amending party must also deliver to the Clerk of the Court, at least 3 business days prior to the scheduled hearing, a Chambers copy of a black-line of the amended paper, reflecting all changes from the prior version. The black-lined document **shall not** be docketed.
11. **Motions for relief from stay.**
 - a. Any motion, under Bankruptcy Code § 362, seeking relief from stay with respect to residential real property of an individual debtor(s) shall be accompanied by an **analysis setting forth the debtor(s)' equity in the real property**, or lack thereof.
 - b. Any motion, under Bankruptcy Code § 362, seeking relief from stay with respect to residential real property of an individual debtor who is acting *pro se*, may not be done by notice of presentment under E.D.N.Y. LBR 2002-1, and must be scheduled for a hearing.
12. **Submission of Orders:** If, following a trial, hearing or decision in an adversary proceeding or contested matter, the Judge directs a party to submit an order, judgment or decree, the party shall, within three (3) business days of the Judge's direction, file its proposed order, judgment or decree electronically by e-mail to: JBROrders@nyeb.uscourts.gov or with the Clerk. If the order, judgment or decree is not timely submitted, the matter shall be deemed abandoned.
13. **Notices of Presentment:** Any Notice of Presentment filed under E.D.N.Y. LBR 2002-1, shall state that if an objection is timely filed a hearing will be scheduled. The Notice of Presentment shall **not** specify a hearing date if objections are timely filed. If a timely objection is filed, Chambers will notify movant's counsel of the hearing date and movant's counsel will be responsible for serving and filing a notice reflecting the hearing date.